

FAIR HOUSING LAWS FORBID HARASSMENT

Under the Fair Housing Act of the Fairfax County Human Rights Ordinance, it is illegal for anyone to: threaten, coerce, intimidate, or interfere with anyone because they live or try to live in a home or help others live where they want to live. The Fairfax County Human Rights Ordinance also prohibits harassment. No one can be harassed because of their race, color, national origin, religion, sex, familial status, handicap (disability), elderliness (55 or older), or marital status. Familial status includes pregnancy and the presence of children. Harassment is a form of discrimination, and can be exhibited in many ways. All of these actions are illegal. Some are criminal.

I. RETALITATION

Fair housing laws prohibit retaliation against those who file fair housing complaints or who participate in the investigation of a fair housing complaint. This includes people who provide information about fair housing violations and also protects families, associates, and roommates of those who have lodged a complaint alleging a violation of the fair housing law. Even if the complaint results in a determination that there has been no violation of fair

housing laws, retaliation is still prohibited.

Some forms of retaliation include:

1. Eviction

Landlords cannot evict tenants for filing fair housing complaints. However, they can evict tenants for not paying rent. The General District Court can hold rent in escrow but the tenant must make the arrangements and follow the court's rules. If you think you are being evicted because you have lodged a fair housing complaint or have participated in the investigation of such a complaint contact the Fairfax County Human Rights Commission and ask about prompt legal action procedures.

2. Rent Increases

Landlords cannot increase rent only for people who complain about fair housing. If your landlord raises your rent after you become involved in a fair housing action, but does not raise the rent of other tenants, this may be retaliation.

3. Refusing Repairs

Landlords cannot refuse to maintain or repair a unit because

the tenant has made a fair housing complaint.

4. Restrict Use of Facilities or Services

No one can restrict people from using facilities or services associated with their housing unit because they have lodged a fair housing complaint or participated in the investigation of a fair housing complaint. This includes facilities such as swimming pools, parking spaces, and laundry rooms. Services include items such as snow and ice removal. People cannot be assigned to a less desirable unit for making fair housing complaints.

5. Threats

Fair housing laws also protect people from threats of retaliation. A housing provider cannot threaten to take away housing subsidies. No one can threaten violence against any person involved in exercising fair housing rights. No one can try to intimidate a person because they wish to live in a particular place. Intimidation includes: threats, harassing telephone calls, vandalism, hate mail or other actions meant to influence a person to leave or not move into a dwelling.

Threats and violence against people making fair housing complaints are crimes. Report them to the local police.

II. NEIGHBORHOOD HARASSMENT

It is illegal for any person or group to harass any person because of where they want to live. It is also illegal to harass visitors, or those who help someone else live where they want. Harassment would include any activities designed to keep people from exercising or helping others to exercise their fair housing rights. It is a violation of the law for any person or group to try to intimidate any resident because of their race, color, national origin, religion, sex, familial status, handicap, elderliness, or marital status. This includes:

- Vandalism
- Crank telephone calls
- Threats
- Physical or verbal attacks on people exercising their rights or helping someone else exercise their rights
- Hate crimes

- Other actions intended to drive people out of neighborhoods

III. SEXUAL HARASSMENT

Any unwanted sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature is sexual harassment. When a housing provider sexually harasses someone, they violate fair housing laws.

- Sexual harassment can occur to any person, male or female.
- The harasser can be a landlord, real estate agent, building manager, maintenance person, loan officer, insurance agent or any other person involved in providing housing or a real estate related transaction.
- The victim can be anyone affected by the harassment, not just the person harassed. For example, a family member may be victimized because another family member has been harassed.
- Unlawful sexual harassment may occur without economic

injury or loss of housing by the victim.

- The harasser's conduct must be unwelcome.



IV. IF YOU HAVE BEEN HARASSED

Harassment of people because of where they wish to live violates their civil rights and the law. If you or someone you know has been harassed in violation of their fair housing rights, contact the **Fairfax County Human Rights Commission**. This agency investigates fair housing complaints and can explain your rights to you. If you have been harassed, you may be entitled to monetary damages. You may also obtain an order to stop the harassment, and the harasser may have to pay civil penalties. If you are harassed after filing a fair housing complaint or participating in the investigation of such a complaint, contact the agency handling the complaint at once.

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HARASSMENT FREE HOUSING



FAIR HOUSING PROGRAM
HUMAN RIGHTS COMMISSION
FAIRFAX COUNTY, VIRGINIA